

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

CLERK'S MINUTES

***BEFORE DISTRICT JUDGE JAMES O. BROWNING***

**CASE No.:** 15-146 JB/SCY                      **DATE:** September 24, 2015  
**CASE CAPTION:** *Fallen, et al. v. GREP Southwest, et al.*  
**CRD:** K. Wild                      **COURT REPORTER:** J. Bean  
**COURT IN SESSION:** 8:43 a.m.              **COURT IN RECESS:** 9:00 a.m. = :17  
**TYPE OF PROCEEDING:** Initial Scheduling Conference  
**COURT'S RULING/DISPOSITION:** (see below)  
**ORDER CONSISTENT WITH COURT'S RULING TO BE PREPARED BY:** Scheduling Order to be entered by Court

**ATTORNEYS PRESENT FOR PLAINTIFF(S):**

Marc Lowry/Alicia Lopez

**ATTORNEYS PRESENT FOR DEFENDANT(S):**

Claud Eugene Vance (for Deft. GREP Southwest & SCI Camino Real LLC) (appearing telephonically)

Charity A. Olson (for Deft. National Credit Systems) (appearing telephonically)

Christina West (for Deft. Suredeposit/Insureco Agency)

Michelle Egan (for Deft. Equifax) (appearing telephonically)

Jennifer Sun (for Deft. Experian) (appearing telephonically)

Rod Schlagel (for Deft. TransUnion) (appearing telephonically)

Amanda Loughmiller (for Deft. TransUnion) (appearing telephonically)

**PROCEEDINGS**

**COURT IN SESSION:** 8:43 a.m.

**Court:** Calls case. Counsel enter appearances. Chandice Saavedra, paralegal, present with Plaintiffs' counsel.

**Court:** Have reviewed JSR/PDP; asks if there is anything counsel wish to tell Court about case that

might impact scheduling?

**Mr. Lowry:** Have been in discussions with Ms. West and there may be another party that needs to be brought into case.

**Mr. Vance:** Asserts there is no federal claim against his client.

**Court:** Would fall under supplemental jurisdiction?

**Mr. Lowry:** Yes.

**Court:** Is position Court lacks jurisdiction?

**Mr. Vance:** Not as to other Defendants, but as to his client – think supplemental jurisdiction may apply to his client.

**Court:** Can independently look at it or can file motion.

**Mr. Vance:** Will file motion.

**Ms. West:** Agree have good faith dispute as to whether another party needs to be added – may need to file motion to intervene.

**Court:** Provides deadlines to be contained in Scheduling Order. Explains how handles trailing docket. If prefer different magistrate judge for settlement conference let Court know. Explains how handles discovery. Suggests post- meet and confer pre-motion conferences - do not require. If file early motions call CRD for hearing ASAP. If need *Daubert* deadlines and cannot agree let CRD know for Court to resolve – prefer to have *Daubert* issues resolved before trial. Will plan to try case in ABQ with northern jury pool (as will be defined after November 15, 2015). Anything further?  
Counsel inform there is not.

**COURT IN RECESS: 9:00 a.m.**